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C O N F I D E N T I A L CARACAS 001738

SIPDIS

DRL/IRF FOR ANNE BORST

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SUBJECT: SUPREME COURT RULES AGAINST NEW TRIBES MISSION

REF: 06 CARACAS 00484

¶1. (SBU) The Supreme Court of Venezuela ruled November 4 that the rights of the New Tribes Mission (NTM) had not been violated when it was required in 2005 to remove its personnel from all indigenous areas in the country. Over the past three years the NTM had argued before the court that they had been denied the constitutional right to freedom of expression following a resolution issued by the Ministry of Interior and Justice on November 14, 2005, giving NTM 90 days to remove its personnel and abandon all missionary activities and property in remote jungle areas. With the Supreme Court's final ruling, NTM's long and costly legal battle to resume work in indigenous areas is at an end. In its December 8, 2008, public statement the New Tribes Mission reluctantly accepted the decision of the Court and announced the organization would no longer attempt any further appeals of the case.

¶2. (C) The NTM was granted permission in 1953 to operate freely among indigenous tribes in Venezuela. Following an October 12, 2005, accusation by President Chavez that the group was spying on behalf of the USG, the Ministry of Interior and Justice issued a resolution canceling NTM's permission to work with indigenous communities. Although the Venezuelan government never issued an expulsion order, the NTM immediately complied with the resolution to withdraw from native areas by February 12, 2006, abandoning approximately 25 houses and missionary projects deep within the jungle interior. Following the November 2005 resolution, the majority of NTM missionaries left the country voluntarily or were reassigned to other domestic and international missions. The majority of those who remained in the country resettled in Bolivar State, near the town of Puerto Ordaz.

¶3. (C) NTM Venezuela Coordinator Tim Fyock told Poloff that the allegations contained in the court ruling that the use of evangelism was a pretext for acculturation of the indigenous groups are false. The NTM had argued that as a duly registered religious organization in Venezuela, it enjoyed freedom of religious expression rights, which were violated by the ministerial resolution. Although not surprised by the court's ruling, NTM is disappointed in the final legal blow that effectively ends more than fifty years of ministry with indigenous peoples. NTM over the past few years has been engaged in an effort to train Venezuelan citizens to carry its religious mission forward. The majority of NTM's members are U.S. citizens. NTM is not seeking Embassy assistance and asked that any USG public reaction be limited to previously used language from the International Religious Freedom Report. Post's public reaction to the verdict will be limited to standard HRR and IRF annual reporting language.

CAULFIELD